

"(c) LIMITATION ON APPLICABILITY.—With respect to an aircraft operated by a foreign air carrier, the smoking prohibitions contained in subsections (a) and (b) shall apply only to the passenger cabin and lavatory of the aircraft. If a foreign government objects to the application of subsection (b) on the basis that it is an extraterritorial application of the laws of the United States, the Secretary is authorized to waive the application of subsection (b) to a foreign air carrier licensed by that foreign government. The Secretary of Transportation shall identify and enforce an alternative smoking prohibition in lieu of subsection (b) that has been negotiated by the Secretary and the objecting foreign government through a bilateral negotiation process.

"(d) REGULATIONS.—The Secretary shall prescribe regulations necessary to carry out this section."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the 60th day following the date of the enactment of this Act.

#### AMENDMENT NO. 3333

At the appropriate place, insert the following:

#### SEC. . HAZARDOUS MATERIALS.

In the case of a state that, as of the date of enactment of this Act, has in force and effect State hazardous material transportation laws that are inconsistent with federal hazardous material transportation laws with respect to intrastate transportation of agricultural production materials for transportation from agricultural retailer to farm, farm to farm, and from farm to agricultural retailer, within a 100-mile air radius, such inconsistent laws may remain in force and effect for fiscal year 1999 only.

#### AMENDMENT NO. 3334

On page 79 of the bill, in line 21 before the period, insert: "*Provided further*, That the Secretary, acting through the Administrator of the Federal Aviation Administration, shall by January 1, 1999, take such actions as may be necessary to ensure that each air carrier (as that term is defined in section 40102 of title 49 U.S.C.) prominently displays on every passenger ticket sold by any means or mechanism a statement that reflects the national average per passenger general fund subsidy based on the fiscal year 1997 general fund appropriation from the Federal Government to the Federal Aviation Administration: *Provided further*, That the Secretary of Transportation, acting through the Administrator of the Federal Highway Administration, shall take such actions as may be necessary to ensure the placement of signs, on each Federal-aid highway (as that term is defined in section 101 of title 23, U.S.C.) that states that, during fiscal year 1997, the Federal Government provided a general fund appropriation at a level verified by the Department of Transportation, for the subsidy of State and local highway construction and maintenance.

#### AMENDMENT NO. 3335

(Purpose: To require the National Transportation Safety Board to reimburse the State of New York and local counties in New York for certain costs associated with the crash of TWA Flight 800)

At the appropriate place in title III, insert the following:

#### SEC. 3 . REIMBURSEMENT FOR SALARIES AND EXPENSES.

The National Transportation Safety Board shall reimburse the State of New York and local counties in New York during the period beginning on June 12, 1997, and ending on September 30, 1999, an aggregate amount equal to \$6,059,000 for costs (including salaries and expenses) incurred in connection with the crash of TWA Flight 800.

#### AMENDMENT NO. 3323, AS MODIFIED

(Purpose: To require the Secretary of Transportation to ensure that there is sufficient signage directing visitors to cemeteries of the National Cemetery System, and for other purposes)

At the appropriate place in title III, insert the following:

#### SEC. 3 . SIGNAGE ON HIGHWAYS WITH RESPECT TO THE NATIONAL CEMETERY SYSTEM.

(a) DEFINITIONS.—In this section:

(1) FEDERAL-AID HIGHWAY.—The term "Federal aid highway" has the meaning given that term in section 101 of title 23, United States Code.

(2) NATIONAL CEMETERY SYSTEM.—The term "National Cemetery System" means the National Cemetery System, which is managed by the Secretary of Veterans Affairs.

(3) STATE.—The term "State" has the meaning given that term in section 101 of title 23, United States Code.

(b) FEDERAL-AID HIGHWAYS.—The Secretary of Transportation may encourage States to take such action as may be necessary to ensure that, for each cemetery of the National Cemetery System that is located in the proximity of any Federal-aid highway, there is sufficient and appropriate signage along that highway to direct visitors to that cemetery.

(c) STATE HIGHWAYS.—Nothing in subsection (b) is intended to affect the provision of signage by a State along a State highway to direct visitors to a cemetery of the National Cemetery System.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SHELBY. Mr. President, I know of no further amendments to the bill.

The PRESIDING OFFICER. If there are no further amendments, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. SHELBY. Mr. President, I ask unanimous consent that the yeas and nays be ordered on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. SHELBY. I ask unanimous consent that the vote occur on passage at 9:15 a.m. on Friday, and that paragraph 4 of rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SHELBY. In light of this agreement, there will be no further votes tonight. The next vote is scheduled for 9:15 a.m. Friday morning.

Mr. President, I ask unanimous consent that when the Senate completes action on S. 2307, the fiscal year 1999 transportation appropriations bill, that the bill not be engrossed and be held at the desk.

I further ask that when the Senate receives the House of Representatives companion measure, the Senate immediately proceed to its consideration; that all after the enacting clause be stricken and the text of S. 2307, as

passed, be inserted in lieu thereof; that the House bill, as amended, be read for a third time and passed, the motion to reconsider the vote be laid upon the table, that the Senate insist on its amendments, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint conferees on the part of the Senate, and that the foregoing occur without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SHELBY. I further ask unanimous consent that when the Senate passes the House companion measure, as amended, the passage of S. 2307 be vitiated and the bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. SHELBY. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SENATOR TIM HUTCHINSON RECEIVES GOLDEN GAVEL AWARD

Mr. LOTT. Mr. President, yesterday, Senator HUTCHINSON presided his 100th hour of this Congress and, therefore, is the latest recipient of the Senate's Golden Gavel Award.

Senator HUTCHINSON and his scheduling staff have consistently adjusted their schedule to assist whenever presiding difficulties have occurred. For these honorable efforts and for the Senator's continued commitment to his presiding duties, we extend our thanks and congratulations.

#### CORRECTION OF THE RECORD

Mr. BYRD. Mr. President, in my speech of July 16, 1998, titled "Anniversary of the Great Compromise," on page S. 8295, in the first column thereof, the word "unilateral" in the second line of the second full paragraph should be "unicameral." "Unicameral," instead of "unilateral."

I ask unanimous consent the permanent RECORD show the correction.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### KIDS AND SEX

Mr. BYRD. Mr. President, I rise today to express my shock and utter amazement regarding the cover story in the June 15 issue of Time magazine. It is entitled "Everything your kids already know about sex."

Now, I know that any octogenarian like myself is going to be immediately viewed as a dinosaur and a prude on a